

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION

**MALLORY SMITH, Individually and on  
behalf of All Others Similarly Situated**

**PLAINTIFF**

vs.

No. 4:18-cv-797-KGB

**OM PURSHANTAM, LLC  
and TANVI DESAI**

**DEFENDANTS**

**JOINT NOTICE OF SETTLEMENT**

COMES NOW Plaintiff and Defendants, by and through their respective attorneys, and for their Joint Notice of Settlement, state as follows:

1. The Parties have reached a settlement agreement in principle, which will be reduced to writing, that resolves all alleged damages that Plaintiff claims in the Amended Complaint, including but not limited to alleged unpaid overtime, liquidated and consequential damages, and lost wages, in exchange for a dismissal with prejudice and release of all claims, but not including the amount of attorney's fees and costs, which is a reserved issue as described below.

2. After notice duly given, no opt-ins joined this case, and the settlement has been agreed to on an individual basis between only Plaintiff and Defendants.

3. An essential element of the settlement agreement is that Defendants will pay Plaintiff's reasonable attorney fees and costs, the amount of which is a reserved issue. The Parties agree that the amount of fees and costs to be paid by Defendants will be resolved either by further separate negotiations or by a fee petition submitted to this Court.

4. By April 17, the Parties propose that either (a) Plaintiff will file a fee petition if negotiations over the settlement of fees and costs break down, (b) the Parties will file a joint status report on the status of the Parties' negotiations regarding fees, or (c) the Parties will file a joint stipulation of dismissal.

5. The Parties agree that their agreement obviates the need for the settlement conference scheduled on Saturday, March 14, and the trial.

WHEREFORE, the Parties respectfully request this Court to take notice of the Parties' agreement, cancel the settlement conference and the trial, allow until April 17 to file the appropriate paperwork as describe in paragraph 4 above, and for all other necessary and proper relief.

Respectfully submitted,

**MALLORY SMITH, Individually  
and on Behalf of All Others  
Similarly Situated, PLAINTIFF**

SANFORD LAW FIRM, PLLC  
One Financial Center  
650 South Shackleford Road, Suite 411  
Little Rock, Arkansas 72211  
Telephone: (501) 221-0088  
Facsimile: (888) 787-2040

Josh Sanford  
Ark. Bar No. 2001037  
[josh@sanfordlawfirm.com](mailto:josh@sanfordlawfirm.com)